

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

KEITH T. BROWN,

Defendant.

Case No. 21-00147-01-CR-W-DGK

**GOVERNMENT’S RESPONSE TO
MOTION FOR TREATMENT (Doc. 28)**

Comes now the United States of America, by and through its undersigned attorneys, and files its response to Defendant Brown’s Motion For Treatment (Doc. 28). The Government states the following:

Defendant Keith T. Brown was determined to be incompetent following a competency hearing at which evidence was presented that Brown was suffering from a mental disease or defect which prevented him from understanding the nature and consequences of the proceedings against him or assisting in his defense. (Doc. 25, 26.) The Court ordered that Brown be committed to the custody of the Attorney General pursuant to 18 U.S.C. § 4241(d) for hospitalization and treatment in a suitable facility for a reasonable time up to 120 days. (Doc. 26, pp. 1-2.)

Brown has filed a motion asserting that he has not been committed to a suitable facility for treatment and that he remains incarcerated in the Leavenworth Federal Prison. (Doc. 28.) The Government has checked with the United States Marshal’s Service about Brown’s status and been provided the following information. Brown has been designated by the Bureau of Prisons (BOP) to a Federal Medical Center (FMC) and is awaiting transport to the facility. However, Brown cannot be transported to this FMC until a spot opens up.

The Marshal's Service does not know when the spot will open but has requested a flight for Brown to the FMC. As soon as the Marshal's Service learns from the FMC that a spot has opened, it will move expeditiously to arrange Brown's transportation to the FMC. The Marshal's Service cannot estimate how long until Brown is transported to the FMC but they are closely monitoring the situation.

CONCLUSION

WHEREFORE, the Government respectfully files its response to Defendant Brown's Motion For Treatment (Doc. 28).

Respectfully submitted,

Teresa A. Moore
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By /s/D. Michael Green

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was delivered on July 14, 2022, to the CM-ECF system of the United States District Court for the Western District of Missouri for electronic delivery to all counsel of record.

/s/D. Michael Green

D. Michael Green
Assistant United States Attorney